

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 6752

BILL NUMBER: SB 313

NOTE PREPARED: Dec 16, 2003

BILL AMENDED:

SUBJECT: Expungement of Conviction Records.

FIRST AUTHOR: Sen. Clark

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X GENERAL
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill allows a sentencing court to expunge the arrest and conviction records of an individual who committed a felony before the individual became 25 years of age if 20 years have passed since the completion of the individual's sentence and any other obligations imposed on the individual as a part of the sentence.

Effective Date: July 1, 2004.

Explanation of State Expenditures: The Indiana State Police maintain the criminal history data base. Any additional staff and computer time would likely be able to be absorbed with the existing resources.

The Department of Correction (DOC) reports that 30% of the offenders committed to DOC are under age 25 at time of commitment.

Explanation of State Revenues: This bill could increase fees to the state General Fund. An example would be if a petition to expunge a felony record is filed under the original court case number in which the person was sentenced and the person did not pay the required fees at the time. In this case, the court might require the person to pay any unpaid fees as part of the hearing. The state General Fund receives 70% of all criminal fees.

Explanation of Local Expenditures: Costs incurred by courts would increase as additional hearings occur. The cost incurred would vary by county and would depend on the number of people who sought an expungement. Also, court employees would have to send criminal history to the court for sealing resulting in additional staff and computer time.

Explanation of Local Revenues: See *Explanation of State Revenues*, above. The general fund at the local level receives 30% of all criminal fees.

State Agencies Affected: Indiana State Police, Clerk of the Supreme Court.

Local Agencies Affected: Trial Courts.

Information Sources: Major Anthony Sommer, Staff Attorney, Indiana State Police.

Fiscal Analyst: Mark Goodpaster, 317-232-9852.